

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

FAYE RENNELL HOBSON (MORALES),)	
)	
Plaintiff,)	
)	
v.)	NO. 3:21-cv-00405
)	
KAYLA BILLOTTE, et al.,)	JUDGE CAMPBELL
)	MAGISTRATE JUDGE HOLMES
Defendants.)	

ORDER

Pending before the Court is the Magistrate Judge’s Report and Recommendation (Doc. No. 42), which recommends that the motions to dismiss filed by Defendants City of Clarksville, Nicholas Oakes, and Montgomery County (Doc. Nos. 10, 23) be granted, that Plaintiff’s motion for leave to file an amended complaint (Doc. No. 36) be denied, and that this action be dismissed. Plaintiff filed objections to the Report and Recommendation. (Doc. No. 44). For the reasons discussed below, the Report and Recommendation will be adopted and approved.

Under 28 U.S.C. § 636(b)(1) and Local Rule 72.02, a district court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001). General or conclusory objections are insufficient. *See Zimmerman v. Cason*, 354 F. Appx. 228, 230 (6th Cir. 2009). Thus, “only those specific objections to the magistrate’s report made to the district court will be preserved for appellate review.” *Id.* (quoting *Smith v. Detroit Fed’n of Teachers*, 829 F.2d 1370, 1373 (6th Cir. 1987)). In conducting the review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C).

As an initial matter, Plaintiff’s objections are untimely. The Report and Recommendation advised the parties that any objections must be filed within 14 days of service. (Doc. No. 42 at

PageID #270). The record reflects that Plaintiff received the Report and Recommendation on September 23, 2021, (*see* Doc. No. 44 at PageID #288), and, therefore, her objections were due on or before Thursday, October 7, 2021. However, Plaintiff did not file her objections until Tuesday, October 12, 2021. (*See id.* at PageID #275).

Even if Plaintiff's objections were timely, Plaintiff fails to provide a basis to reject or modify the Report and Recommendation because her objections do not identify any specific factual or legal error the Magistrate Judge committed in determining that defendants' motions to dismiss should be granted and Plaintiff's motion for leave to file an amended complaint be denied. Instead, Plaintiff merely states disagreement with the Magistrate Judge's conclusions. Objections which do not identify an error are meritless. *See Howard v. Sec. of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991); *VanDiver v. Martin*, 304 F. Supp. 2d 934, 937 (E.D. Mich. 2004) ("An 'objection' that does nothing more than state a disagreement with a magistrate's suggested resolution ... is not an 'objection' as that term is used in this context.").

Having reviewed the Report and Recommendation and considered Plaintiff's objections, the Court concludes that the Report and Recommendation should be adopted and approved. Accordingly, Defendants' motions to dismiss (Doc. Nos. 10, 23) are **GRANTED**, Plaintiff's motion for leave to file an amended complaint (Doc. No. 36) is **DENIED**, and this action is **DISMISSED**. The Clerk is directed to close the file.

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE